

Appl. No. 10/799,801
Amendment and/or Response
Reply to Office action of 7 March 2005

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REMARKS / DISCUSSION OF ISSUES

Claims 6-27 are pending in the application.

The applicants respectfully request the Examiner to acknowledge the claim for priority and receipt of certified copies of all the priority document(s).

The Examiner is respectfully requested to state whether the drawings are acceptable.

Claims are amended for non-statutory reasons. The Office action asserts that there is no generic claim, and claim 23 is amended to be dependent upon generic claim 11. The claims are not narrowed in scope and no new matter is added.

The Office action requires an election. The applicants respectfully traverse this requirement.

The Examiner's attention is request to MPEP 808.02, which specifically states:

"Where, however, the classification is the same and the field of search is the same and there is no clear indication of separate future classification and field of search, ***no reasons exist for dividing among related inventions.***"

To conform to the requirement for selecting a species, the applicants select the identified species D, sub-species II, for prosecution of this application; the corresponding claims include claims 11-27. However, the applicants respectfully request the Examiner's reconsideration of this restriction in view of the directive of MPEP 808.02.

The Office action asserts that the claimed species D are not taught in the applicants' disclosure. The applicants respectfully traverse this assertion. In paragraph [0007] the applicants teach that a pixel may comprise a reflective and a transmissive sub-pixel. In paragraph [0008] the applicants teach that the pixel comprises a pixel area. In paragraph [0023] the applicants teach that the areas of the reflective and transmissive sub-pixels need not be the same. Therefore, the applicants respectfully maintain that the applicants' specification teaches first and second areas, as claimed in claim 11. Claim 11 recites "area segments". If the

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Examiner objects to the word "segments" in the claim, the applicants will amend the claim to recite first and second areas, but the applicants believe that "area segments" conform best to the American language, and request that the Examiner accept this addition word.

Further, the applicants teach throughout the application the use of a "pattern" to form the selected optical retardations, and, as is known in the art, a "pattern" distinguishes areas that are covered by the pattern from areas that are not covered by the pattern. The applicants respectfully note that providing a pattern for fabrication of a device naturally presupposes that the pattern distinguishes the area covered by the pattern into at least covered and uncovered areas, and thus teach the identification of first and second areas.

At paragraph [0034], the applicants teach that a quarterwave foil is preferably patterned to provide different retardations at the transmissive and reflective areas. At paragraph [0040] the applicants teach that a $\lambda/4$ retardation is selectively applied to desired positions; the applicants maintain that these desired positions correspond to area segments. Thereafter, at paragraphs [0042], [0043], and [0044], the applicants teach three methods for selectively applying a retardation at selected areas. However, claim 11 is not limited to these three example methods, because other methods of providing different retardations at different areas will also be evident to one of ordinary skill in view of the applicants' disclosure.

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In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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